

### **REMARKS/ARGUMENTS**

Claim 12 has been rejected under 35 U.S.C. §102(a) as anticipated by Calafut (JP 11-284174).

Claim 1 has been rejected under 35 U.S.C. §103(a) over Baba et al., U.S. Patent No. 5,321,289 in view of Calafut.

The Examiner has stated that Calafut teaches “spaced conductive gate strips 45 disposed atop an insulation gate layer 43 and extending across and contacting conductive gate bodies 46.”

The Examiner’s attention is drawn first to the specific language used in claim 1. Claim 1 specifically and without any ambiguity calls for “conductive gate bodies disposed within the interior of each of said trenches.” The Examiner points to portions 46 in Calafut as corresponding to conductive bodies defined in claim 1. It is, however, clear from all figures in Calafut that portions 46 (46a, 46b, 46c) do not reside within any trenches as called for by claim 1. Thus, it is submitted that portions 46 cannot constitute conductive gate bodies as defined in the claims.

Furthermore, portions 46 do not constitute strips for the reasons set forth in the prior paper filed by the applicants in this case.

It should be noted that Calafut is in Japanese. Should the Examiner decide to assert that portions 46 in Calafut define strips, it is requested that specific portions of the specification of Calafut be identified so that the Examiner’s assertion can be independently verified by the applicants’ translator.

The Examiner’s attention is drawn to claim 12 next. Claim 12 calls for “first and second spaced conductive polysilicon layers filling said at least first and second trenches respectively and which are insulated from said substrate; and at least one narrow conductive polysilicon gate strip disposed atop and insulated from said upper surface and extending across and contacting each of said first and second spaced conductive polysilicon layers.”

The Examiner, in support of the conclusion that Calafut anticipates claim 12, states that Calafut teaches “spaced conductive gate strips 45 disposed atop an insulation gate layer 43 and extending across and contacting conductive bodies 46.” Again, claim 12 calls for a strip that extends across and makes contacts with the gate material inside the trenches. The Examiner,

however, reads Calafut to show the material inside the trenches to constitute strips, while portions 46 are read to constitute the gate bodies.

As explained above, portions 46 cannot constitute gate bodies (conductive polysilicon layers as called for by claim 12) because they do not reside inside trenches. It is respectfully submitted that Calafut does not show the limitations for which it has been asserted. That is, it does not show conductive gate strips extending across gate bodies disposed in trenches. Reconsideration is requested.

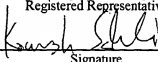
Each of the remaining claims depends either from claim 1 or claim 12, and thus includes its limitations. Each of the remaining claims includes other limitations, which in combination with those of its base claim, are not shown or suggested by the art of record. Reconsideration is requested.

The application is believed to be in condition for allowance. Such action is earnestly solicited.

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Kourosh Salehi

Name of applicant, assignee or  
Registered Representative



Signature

August 11, 2003

Date of Signature

Respectfully submitted,



Kourosh Salehi

Registration No.: 43,898

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

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